POLICY TITLE	SUPPLY CHAIN MANAGEMENT POLICY
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**The Supply Chain Management Policy is meant to be a "Living" Document and will be subject to regular reviews*

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1. FOREWORD

This policy reflects and represents the context of a specific government policy, which finds expression within the provisions of the Municipal Finance Management Act of 2003 and SCM regulations, read in tandem with other like- legislative prescripts inter alia:

1.1 The Constitution of the Republic of South Africa Act 108 of 1996;

1.2 The Preferential Procurement Policy Framework Act 5 2000 and its associated regulations;

1.3 The Broad-Based Black Economic Empowerment Act, 2003 (Act 53 of 2003) (BBBEEA) and it provides for at least the following:

a) Demand management;
b) Acquisition management (including contract and contract management);
c) Logistics management;
d) Disposal management;
e) Risk management and regular assessment of supply chain performance.

2. OBJECTIVES OF THE POLICY

The principal objective of the policy is to provide, promote and implement theoretical guidelines, governing processes and procedures within the supply chain management when:

2.1 Procuring goods or services;

2.2 Disposal of goods, assets and immovable property no longer needed.

3. DEFINITIONS

In this policy, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act has the same meaning as in the Act, and:

3.1 “Accounting Officer” means the Chief Executive Officer of the South Coast Tourism and Investment Enterprise or SCTIE

3.2 “Entity” means the SCTIE

3.3 “Board” means the Board of Directors of SCTIE

3.4 “Competitive bidding process” means a competitive bidding process referred to in paragraph 18 of this policy;

3.5 “Competitive bid” means a bid in terms of a competitive bidding process,

3.6 “Final award”, in relation to bids or quotations submitted for a contract, means the final decision on which bid or quote to accept;

3.7 “Formal written price quotation” means quotations referred to in paragraph 12 (1) (b) of this policy;

3.8 “In the service of the state” means:

(a) A member of:
  (i) Any municipal council;
  (ii) Any provincial legislature; or
  (iii) The National Assembly or the National Council of Provinces;

(b) A member of the board of directors of any municipal entity;

(c) An official of any municipality or municipal entity;

(d) An employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

(e) A member of the accounting authority of any national or provincial public entity; or

(f) An employee of Parliament or a provincial legislature.

3.9 "Long term contract" means a contract with a duration period exceeding one year;

3.10 "List of accredited prospective providers" means the list of accredited prospective providers which a municipality or municipal entity must keep in terms of paragraph 16 of this policy;

3.11 "Other applicable legislation" means any other legislation applicable to municipal supply chain management, including:

(a) The Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000);

(b) The Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003); and

(c) The Construction Industry Development Board Act, 2000 (Act No.38 of 2000);
(d) Revised Preferential Procurement Regulation 2022

3.12 "Manager: Finance, HR and Administration" means the Manager: Finance, HR and Administration of the SCTIE;

3.13 "Regulation" means the Local Government: Municipal Supply Chain Management Regulations;

3.14 "Treasury guidelines" means any guidelines on supply chain management issued by the Minister in terms of section 168 of the Act;

3.15 "The Act" means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);

3.16 "Written quotations**"** means quotations referred to in paragraph 1401(b) of this policy.

CHAPTER 1: ESTABLISHMENT AND IMPLEMENTATION OF SUPPLY CHAIN MANAGEMENT POLICY

4. SUPPLY CHAIN MANAGEMENT POLICY

4.1 All officials and other role players in the supply chain management system of the SCTIE must implement this Policy in a way that resolves in terms of section 111 of the Act to have and implement a supply chain management policy that:

(a) Gives effect to:
(i) Section 217 of the Constitution; and
(ii) Part 1 of Chapter 11 and other applicable provisions of the Act;

(b) Is fair, equitable, transparent, competitive and cost effective;

(c) Complies with:
(i) The regulatory framework prescribed in Chapter 2 of the Regulations; and
(ii) Any minimum norms and standards that may be prescribed in terms of section 168 of the Act;

(d) Is consistent with other applicable legislation;

(e) Does not undermine the objective for uniformity in supply chain management systems between organs of state in all spheres; and

(f) Is consistent with national economic policy concerning the promotion of investments and doing business with the public sector.

(g) Amendments to Regulations published under General Notice No. 868 of 30 May 2005 signed by Government Notice No. R. 31 of 20 January 2017 regarding SCM

4.2 The Entity may not act otherwise than in accordance with this supply chain management policy when:

(a) Procuring goods or services;

(b) Disposing of goods no longer needed;

(c) Selecting contractors to provide assistance in the provision of the municipal entities otherwise than in circumstances where Chapter 8A of the Municipal Systems Act applies; or

4.3 Subparagraphs 4.1 and 4.2 of this policy do not apply in the circumstances described in section 110 (2) of the Act except where specifically provided otherwise in this policy.

5. ADOPTION AND AMENDMENT OF THE SUPPLY CHAIN MANAGEMENT POLICY

5.1 The Accounting Officer must:

(a) At least annually review the implementation of this policy; and

(b) When the Accounting Officer considers it necessary, submit proposals for the amendment of this policy to the Board.

5.2 If the Accounting Officer submits a draft policy to the Board that differs from the model policy, the Accounting Officer must ensure that such draft policy complies with the Regulations. The Accounting Officer must report any deviation from the model policy to the National Treasury and the relevant provincial treasury.

5.3 When amending this supply chain management policy the need for uniformity in supply chain practices, procedures and forms between organs of state in all spheres, particularly to promote accessibility of supply chain management systems for small businesses must be taken into account.

5.4 The Accounting Officer of the Entity must in terms of section 99(2)(h) of the Act, take all reasonable steps to ensure that the Entity has and implements this supply chain management policy.

6. DELEGATION OF SUPPLY CHAIN MANAGEMENT POWERS AND DUTIES

6.1 The Board hereby delegates in terms of Section 106 of the MFMA, to manage the Supply Chain Management Policy to the Accounting Officer so as to enable the Accounting Officer:

(a) To discharge the supply chain management responsibilities conferred on accounting officers in terms of:
(i) Chapter 10 of the Act; and
(ii) The supply chain management policy;

(b) To maximise administrative and operational efficiency in the implementation of the supply chain management policy,

(c) To enforce reasonable cost-effective measures for the prevention of fraud, corruption, favouritism and unfair and irregular practices in the implementation of the supply chain management policy; and

(d) To comply with his or her responsibilities in terms of section 115 and other applicable provisions of the Act.

6.2 Sections 106 of the Act apply to the sub delegation of powers and duties delegated to an Accounting Officer in terms of subparagraph 7.1 of this policy.

6.3 The Board or Accounting Officer may not delegate or sub delegate any supply chain management powers or duties to a person who is not an official of the municipality *or* to a committee which is not exclusively composed of officials of the municipality.

6.4 This paragraph may not be read as permitting an official to whom the power to make final awards has been delegated, to make a final award in a competitive bidding process otherwise than through the committee system provided for in paragraph 27 of this policy.

7. SUB DELEGATIONS

7.1 The Accounting Officer may in terms of section 106 of the Act sub delegate any supply chain management powers and duties, including those delegated to the Accounting Officer in terms of this policy, but any such sub delegation must be consistent with subparagraph 7.2 of this policy.

7.2 The power to make a final award:

(a) Above R2 million (VAT included) may not be sub delegated by the Accounting Officer; to comply with this requirement the Accounting Officer may either chair the Bid Adjudication Committee or consider recommendations of the Bid Adjudication Committee to make a final award for bids above R2 million inclusive of VAT

(b) Up to R2 million (VAT included), but not exceeding R2 million (VAT included), may be sub delegated but only to:
(i) The Manager: Finance, HR and Administration;
(ii) A Manager directly accountable to the Chief Executive Officer;
(iii) A Bid Adjudication Committee.

7.3 An official or Bid Adjudication Committee to which the power to make final awards has been sub delegated in accordance with subparagraph 7.2 of this policy must within five days of the end of each month submit to the official referred to in subparagraph 7.4 of this policy a written report containing particulars of each final award made by such official or committee during that month, including:

(a) The amount of the award;
(b) The name of the person to whom the award was made; and

(c) The reason why the award was made to that person.

7.4 A written report referred to in subparagraph 7.3 of this policy must be submitted:

(a) To the Accounting Officer, in the case of an award by:
(i) The Manager: Finance, HR and Administration;
(ii) A Manager; or
(iii) A bid adjudication committee of which the Manager: Finance, HR and Administration or a Manager is a member.

(b) To the Manager: Finance, HR and Administration or the Manager responsible for the relevant bid, in the case of an award by:
(i) A manager referred to in subparagraph 7.2(b)(ii) of this policy; or
(ii) A Bid Adjudication Committee of which the Manager: Finance, HR and Administration or a Manager is not a member.

7.5 Subparagraphs 7.3 and 7.4 of this policy do not apply to procurements out of petty cash.

7.6 This paragraph may not be interpreted as permitting an official to whom the power to make final awards has been sub delegated, to make a final award in a competitive bidding process otherwise than through the committee system provided for in paragraph 27 of this policy.

7.7 No supply chain management decision-making powers may be delegated to an advisor or consultant.

8. OVERSIGHT ROLE OF THE BOARD

8.1 The Board must maintain oversight over the implementation of this supply chain management policy.

8.2 For the purposes of such oversight the Accounting Officer must:

(a) Within 30 days of the end of each financial year, submit a report on the implementation of the supply chain management policy of the SCTIE to the Board of the SCTIE;

(b) Whenever there are serious and material problems in the implementation of the supply chain management policy, immediately submit a report to the Board.

8.3 The Accounting Officer must, within 10 days of the end of each quarter, submit a report on the implementation of the Supply Chain Management Policy to the Board.

8.4 The reports must be made public in accordance with section 21A of the Municipal Systems Act.

9. SUPPLY CHAIN MANAGEMENT UNIT

9.1 The Accounting Officer must establish a supply chain management unit to implement this supply chain management policy.

9.2 The supply chain management unit must, where possible, operate under the direct supervision of the Manager: Finance, HR and Administration or an official to whom this duty has been delegated in terms of section 106 of the Act.

10. TRAINING OF SUPPLY CHAIN MANAGEMENT OFFICIALS

The training of officials involved in implementing the supply chain management policy should be in accordance with any Treasury guidelines on supply chain management training.

CHAPTER 2: FRAMEWORK FOR SUPPLY CHAIN MANAGEMENT

11. FORMAT OF SUPPLY CHAIN MANAGEMENT

This supply chain management policy provides systems for:

11. 1 Demand management;
11. 2 Acquisition management;
11. 3 Logistics management;
11. 4 Disposal management;
11. 5 Risk management; and
11. 6 Performance management.

PART 1: DEMAND MANAGEMENT

12. SYSTEM OF DEMAND MANAGEMENT

The Accounting Officer must establish, through operational procedures, an effective system of demand management in order to ensure that the resources required to support the strategic and operational commitments are delivered at the correct time, at the right price and at the right location, and that the quantity and quality satisfy the needs.

PART 2: ACQUISITION MANAGEMENT

13. SYSTEM OF ACQUISITION MANAGEMENT

13.1 The Accounting Officer must establish, though operational procedures, an effective system of acquisition management in order to ensure:

(a) That goods and services are procured by the SCTIE in accordance with authorised processes only;

(b) That expenditure on goods and services is incurred in terms of an approved budget in terms of section 100 of the Act;

(c) That the threshold values for the different procurement processes are complied with;

(d) That bid documentation, evaluation and adjudication criteria, and general conditions of a contract, are in accordance with any applicable legislation; and

(e) That any Treasury guidelines on acquisition management are properly taken into account.

13.2 This supply chain management policy, except where provided otherwise in the policy, does not apply in respect of the procurement of goods and services contemplated in section 110(2) of the Act, including:

(a) Water from the Department of Water Affairs or a public entity, another municipality or a municipal entity; and

(b) Electricity from ESKOM or another public entity, another municipality or a municipal entity.

13.3 The following information must be made public wherever goods or services contemplated in section 110(2) of the Act are procured other than through the supply chain management system:

(a) The kind of goods or services; and
(b) The name of the supplier.

14. RANGE OF PROCUREMENT PROCESSES

14.1 Amendments to Regulations published under General Notice No. 868 of 30 May 2005 signed by Government Notice No. R. 31 of 20 January 2017 regarding SCM. The procurement of goods and services through this policy is provided by way of:

(a) Petty cash purchases, up to a transaction value of R2 000 (VAT included);

(b) Formal written quotations for procurements of a transaction value R2 000 up to R200 000 (VAT included);

Include revised preferential procurement regulations 2022. Stipulating the applicable **preference point system** of 80/20; and the **specific goal** in the invitation to submit the quotation for which a point may be awarded, and the number of points that will be awarded to each goal, and proof of the claim for such goal.

The following specific goals should be considered during the planning phase of each competitive bidding.

	No Points allocated for 80/20
An EME or QSE which is at least 100% owned by people	**5**
, An EME or QSE which is at least 51% owned by black	4
An EME or QSE which is at least 25%-50% owned by black	3
Enterprise located within District Municipality	**10**
Enterprise located within the province	5
100% owned by Woman/Youth /Disable	**5**

(d) A competitive bidding process for:
   (i) Procurements above a transaction value of R200 000 (VAT included);
   (ii) The procurement of long-term contracts.

Include revised preferential procurement regulations,2022. Stipulation of the applicable preference point system (90/10 or 80/20); and the specific goal in the invitation to submit the tender for which a point may be awarded, and the number of points that will be awarded to each goal, and proof of the claim for such goal.

The following specific goals should be considered during the planning phase of each competitive bidding.

	No Points allocated for 90/10	**No Points allocated for 80/20**
An EME or QSE which is at least 100% owned by people	**5**	**10**
, An EME or QSE which is at least 51% owned by black	4	8
An EME or QSE which is at least 25%-50% owned by black	3	6
Enterprise located within District Municipality (Rural)	**3**	**5**
Enterprise located within District Municipality	2	4
Enterprise located within the province	1	3
100% owned by Woman/Youth /Disable	**2**	**5**

14.2 The Accounting Officer may, in writing:

(a) Lower, but not increase, the different threshold values specified in subparagraph no (1); or

(b) Direct that:
   (i) Written quotations be obtained for any specific procurement of a transaction value lower than R2 000;
   (ii) Formal written price quotations be obtained for any specific procurement of a transaction value of R2001 to R200 000 (Vat included**); or**
   (iii) A competitive bidding process be followed for any specific procurement of a transaction above R200 000 (Vat included) in 14.1(c) (i) (ii).

14.3 Goods or services may not deliberately be split into parts or items of a lesser value merely to avoid complying with the requirements of the policy. When determining transaction values, a requirement for goods or services consisting of different parts or items must as far as possible be treated and dealt with as a single transaction.

15. GENERAL PRECONDITIONS FOR CONSIDERATION OF WRITTEN QUOTATIONS OR BIDS

A written quotation or bid may not be considered unless the provider who submitted the quotation or bid:

15.1 Has furnished that provider's:
- (a) Full name;
- (b) Identification number or company or other registration number; and
- (c) Tax reference number and VAT registration number, if any;

15.2 Has authorised the SCTIE to obtain a tax clearance from the South African Revenue Services that the provider's tax matters are in order; and

15.3 Has indicated:
- (a) Whether he or she is in the service of the state, or has been in the service of the state in the previous twelve months;
- (b) If the provider is not a natural person, whether any of its directors, managers, principal shareholders or stakeholder is in the service of the state, or has been in the service of the state in the previous twelve months; or
- (c) Whether a spouse, child or parent of the provider or of a director, manager, shareholder or stakeholder referred to in subparagraph
- (d) Is in the service of the state, or has been in the service of the state in the previous twelve months.

16. LISTS OF ACCREDITED PROSPECTIVE PROVIDERS

16.1 The Accounting Officer must:

- (a) Keep a list of accredited prospective providers of goods and services that must be used for the procurement requirements of the through written or quotations and formal written price quotations; and
- (b) At least once a year through newspapers commonly circulating locally and or, the website and any other appropriate ways, invite prospective providers of goods or services to apply for evaluation and listing as accredited prospective providers;

- (c) Specify the listing criteria for accredited prospective providers;
  - i) To satisfy SCTIE listing criteria a vendor must submit a valid **SARS Tax Clearance status PIN** ~~tax clearance certificate~~ and sign a declaration of interest form; and

- (d) Disallow the listing of any prospective provider whose name appears on the National Treasury's database as a person prohibited from doing business with the public sector.

16.2 The list must be updated at least quarterly to include any additional prospective providers and any new commodities or types of services. Prospective providers must be allowed to submit applications for listing at any time.

16.3 The list must be compiled per commodity and per type of service.

16.4 All suppliers must be **on the list of accredited service providers or be** registered with the National Treasury's Central Suppliers Database (CSD). ~~The Entity will not do business with any service provider that is not registered on this database.~~

17. PETTY CASH PURCHASES

The Accounting Officer must establish the conditions for the procurement of goods by means of petty cash purchases referred to in paragraph 14 (1) (a) of this policy, which must include conditions:

17.1 Determining the terms on which a Manager may delegate responsibility for petty cash to an official reporting to the Manager;

17.2 Limiting the number of petty cash purchases or the maximum amounts per month for each Manager;

17.3 Excluding any types of expenditure from petty cash purchases, where this is considered necessary; and

17.4 Requiring monthly reconciliation reports from each Manager to the Manager: Finance, HR and Administration, including:

(a) The total amount of petty cash purchases for that month; and

(b) Receipts and appropriate documents for each purchase.

18. FORMAL WRITTEN PRICE QUOTATIONS

18.1 The Accounting Officer must establish the conditions for the procurement of goods or services through formal written price quotations, which must include conditions stating:

(a) That quotations from must be obtained in writing from at least three different providers whose names appear on the list of accredited prospective providers of the SCTIE;

(b) That quotations may be obtained from providers who are not listed, provided that such providers meet the listing criteria in the supply chain management policy required by paragraph 16.1(c) and

(c) That if it is not possible to obtain at least three quotations, the reasons must be recorded and approved by the Manager: Finance, HR and Administration or an official designated by the Manager: Finance, HR and Administration, and

(d) That the Accounting Officer must record the names of the potential providers and their written quotations.

18.2 A designated official referred to in subparagraph 18.1(c) must within three days of the end of each month report to the Manager: Finance, HR and Administration on any approvals given during that month by that official in terms of that subparagraph.

19. PROCEDURES FOR PROCURING GOODS OR SERVICES THROUGH FORMAL WRITTEN PRICE QUOTATIONS

The Accounting Officer must determine the operational procedure for the procurement of goods or services through formal written price quotations, which must stipulate:

19.1 That all requirements in excess of R2 000.00 **and less than R30 000.00** (VAT included) ~~that~~ are to be procured by means of formal written price quotation~~.s must, in addition to the requirements of paragraph 18, be advertised for at least seven days on the website and an official notice board of SCTIE.~~

19.2. That all requirements in excess of R30 000.00 and less than R200 000.00 (VAT included) that are to be procured by means of formal written price quotations must, in addition to the requirements of paragraph 18 be advertised for at least seven days on the website and an official notice board of the SCTIE.

19.3 That when using the list of accredited prospective providers the Accounting Officer must promote ongoing competition amongst providers, including by inviting providers to submit quotations on a rotation basis;

19.3 That the Accounting Officer must take all reasonable steps to ensure that the procurement of goods and services through formal written price quotations is not abused;

19.4 That the Accounting Officer or Manager: Finance, HR and Administration must on a monthly basis be notified in writing of all formal written price quotations accepted by an official acting in terms of a sub delegation.

20. COMPETITIVE BIDDING PROCESS

20.1 Goods or services above a transaction value of R200 000 (VAT included) and long-term contracts may only be procured through a competitive bidding process,

20.2 Where a panel of service providers has been established through a competitive bidding process in terms of this Policy, such procurement may be undertaken through a secondary procurement process, including a mini-competition or other approved allocation mechanisms, in accordance with Section 36 of this Policy, and subject to paragraph 11(2) of this Policy.

20.3 No requirement for goods or services above an estimated transaction value of R200 000 (VAT included), may deliberately be split into parts or items of lesser value merely for the sake of procuring the goods or services otherwise than through a competitive bidding process.

21. PROCESS FOR COMPETITIVE BIDDING

The Accounting Officer must establish procedures for a competitive bidding process for each of the following stages:

21.1 The compilation of the bidding document;
21.2 The public invitation of bids;
21.3 Site meetings or briefing sessions, if applicable;
21.4 The handling of bids submitted in response to public invitation;
21.5 The evaluation of bids by the BEC;
21.6 The award of contracts;
21.7 The administration of contracts; and
21.8 Proper record keeping.

22. BID DOCUMENTATION FOR COMPETITIVE BIDS

The Accounting Officer must establish the criteria to which bid documentation for a competitive bidding process must comply, which in addition to paragraph 13 of this policy, the bid documentation must:

22.1 Take into account:

(a) The general conditions of contract;
(b) Any Treasury guidelines on bid documentation; and
(c) The requirements of the Construction Industry Development Board, in the case of a bid relating to construction, upgrading or refurbishment of buildings or infrastructure;

22.2 Include evaluation and adjudication criteria, including any criteria required by other applicable legislation;
22.3 Compel bidders to declare any conflict of interest they may have in the transaction for which the bid is submitted;

22.4 If the value of the transaction is expected to exceed R10 million (VAT included), require bidders to furnish:

(a) If the bidder is required by law to prepare annual financial statements for auditing, their audited annual financial statements:
(i) For the past three years; or
(ii) Since their establishment if established during the past three years:

- A certificate signed by the bidder certifying that the bidder has no undisputed commitments for municipal services towards a Municipality or other service provider in respect of which payment is overdue for more than 30 days
- Particulars of any contracts awarded to the bidder by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract;

- A statement indicating whether any portion of the goods or services are expected to be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the SCTIE is expected to be transferred out of the Republic; and

(b) Stipulate that disputes must be settled by means of mutual consultation, mediation (with or without legal representation), or, when unsuccessful, in a South African court of law.

23. PUBLIC INVITATION FOR COMPETITIVE BIDS

The Accounting Officer must determine the procedure for the invitation of competitive bids, which must stipulate that:

23.1 Any invitation to prospective providers to submit bids must be by means of a public advertisement in newspapers commonly circulating locally, the website of the SCTIE or any other appropriate ways (which may include an advertisement in the Government Tender Bulletin); and

23.2 The information contained in a public advertisement, must include:

(a) The closure date for the submission of bids, which may not be less than 30 days in the case of transactions over R10 million (VAT included), or which are of a long term nature, or 14 days in any other case, from the date on which the advertisement is placed in a newspaper, subject to subparagraph (3) of this policy; and

(b) A statement that bids may only be submitted on the bid documentation provided by the SCTIE.

23.3 The Accounting Officer may determine a closure date for the submission of bids which is less than the 30 or 14 days requirement, but only if such shorter period can be justified on the grounds of urgency or emergency or any exceptional case where it is impractical or impossible to follow the official procurement process.

23.4 Bids submitted must be sealed.

23.5 Where bids are requested in electronic format, such bids must be supplemented by sealed hard copies.

24. PROCEDURE FOR HANDLING, OPENING AND RECORDING OF BIDS

The Accounting Officer must determine the procedures for the handling, opening and recording of bids, which must stipulate that:

24.1 Bids:
(i) Must be opened only in public; and
(ii) Must be opened at the same time and as soon as possible after the period for the submission of bids has expired;

24.2 Any bidder or member of the public has the right to request that the names

of the bidders who submitted bids in time must be read out and, if practical, also each bidder's total bidding price; and

24.3 The Accounting Officer must:
(i) Record in a register all bids received in time;
(ii) Make the register available for public inspection; and
(iii) Publish the entries in the register and the bid results on the website.

25. NEGOTIATIONS WITH PREFERRED BIDDERS

25.1 The Accounting Officer may negotiate the final terms of a contract with bidders identified through a competitive bidding process as preferred bidders, provided that such negotiation:

(a) Does not allow any preferred bidder a second or unfair opportunity;
(b) Is not to the detriment of any other bidder; and

(c) Does not lead to a higher price than the bid as submitted.

25.2 Minutes of such negotiations must be kept for record purposes.

26. TWO-STAGE BIDDING PROCESS

26.1 A two-stage bidding process is allowed for:

(a) Large complex projects;

(b) Projects where it may be undesirable to prepare complete detailed technical specifications; or

(c) Long term projects with a duration period exceeding three years.

26.2 In the first stage technical proposals on conceptual design or performance specifications should be invited, subject to technical as well as commercial clarifications and adjustments.

26.3 In the second stage final technical proposals and priced bids should be invited.

27. COMMITTEE SYSTEM FOR COMPETITIVE BIDS

27.1 The Accounting Officer is required to:

(a) Establish a committee system for competitive bids consisting of at least:
(i) A bid specification committee;
(ii) A bid evaluation committee; and
(iii) A bid adjudication committee;

(b) Appoint the members of each committee, taking into account section 117 of the Act; and

(c) Provide for an attendance or oversight process by a neutral or independent observer, appointed by the Accounting Officer, when this is appropriate for ensuring fairness and promoting transparency.

27.2 The committee system must be consistent with:
(a) Paragraph 28, 29 and 30 of this policy; and
(b) Any other applicable legislation.

27.3 The Accounting Officer may apply the committee system to formal written price quotations.

28. BID SPECIFICATION COMMITTEES

28.1 The bid specification committee must compile the specifications for each of goods or services procured by the SCTIE.

28.2 Specifications:
(a) Must be drafted in an unbiased manner to allow all potential suppliers to offer their goods or services;

(b) Must take account of any accepted standards such as those issued by Standards South Africa, the International Standards Organisation, or an authority accredited or recognised by the South African National Accreditation System with which the equipment or material or workmanship should comply;

(c) Where possible, be described in terms of performance required rather than in terms of descriptive characteristics for design;

(d) May not create trade barriers in contract requirements in the forms of specifications, plans, drawings, designs, testing and test methods, packaging, marking or labelling of conformity certification;

(e) May not make reference to any particular trade mark, name, patent, design, type, specific origin or producer unless there is no other sufficiently precise or intelligible way of describing the characteristics of the work, in which case such reference must be accompanied by the words “equivalent”;

(f) Must indicate each specific goal for which points may be awarded in terms of the points system set out in the Preferential Procurement Regulations 2001; and

(g) Must be approved by the Accounting Officer prior to publication of the invitation for bids in terms of paragraph 23 of this policy.

28.3 The bid specification committee must be composed of one or more officials of the SCTIE, preferably the manager responsible for the function involved, and may, when appropriate, include external specialist advisors.

28.4 No person, advisor or corporate entity involved with the bid specification committee, or director of such a corporate entity, may bid for any resulting contracts.

29. BID EVALUATION COMMITTEES

29.1 The bid evaluation committee must:

(a) Evaluate bids in accordance with:
  (i) The specifications for a specific procurement; and
  (ii) The points system set out in terms of paragraph 28.2(f).

(b) Evaluate each bidder’s ability to execute the contract;

(c) Check in respect of the recommended bidder whether municipal rates and taxes and municipal service charges are not in arrears, and;

(d) Submit to the adjudication committee a report and recommendations regarding the award of the bid or any other related matter.

29.2 The bid evaluation committee must as far as possible be composed of:

(a) Officials from departments requiring the goods or services; and

(b) At least one supply chain management practitioner of the SCTIE.

30. BID ADJUDICATION COMMITTEES

30.1 The bid adjudication committee must:

(a) Consider the report and recommendations of the bid evaluation committee; and

(b) Either:

(i) Depending on its delegations, make a final award or a recommendation to the Accounting Officer to make the final award; or
(ii) Make another recommendation to the Accounting Officer how to proceed with the relevant procurement.

30.2 The bid adjudication committee must consist of at least two Managers of the SCTIE or Parent Municipality which must include:

(a) The Manager: Finance, HR and Administration; and

(b) At least one senior supply chain management practitioner who is an official of the SCTIE or seconded from Parent Municipality; and

(c) A technical expert in the relevant field who is an official, if such an expert exists.

30.3 The Accounting Officer must appoint the chairperson of the committee. If the chairperson is absent from a meeting, the members of the committee who are present must elect one of them to preside at the meeting.

30.4 Neither a member of a bid evaluation committee, nor an advisor or person assisting the evaluation committee, may be a member of a bid adjudication committee.

30.5 If the bid adjudication committee decides to award a bid other than the one recommended by the bid evaluation committee, the bid adjudication committee must prior to awarding the bid:

(a) Check in respect of the preferred bidder whether that bidder's municipal rates and taxes and municipal service charges are not in arrears, and;

(b) Notify the Accounting Officer.

30.6 The Accounting Officer may:

(a) After due consideration of the reasons for the deviation, ratify or reject the decision of the bid adjudication committee referred to in paragraph 30.5; and

(b) If the decision of the bid adjudication committee is rejected, refer the decision of the adjudication committee back to that committee for reconsideration.

30.7 The Accounting Officer may at any stage of a bidding process, refer any recommendation made by the evaluation committee or the adjudication committee back to that committee for reconsideration of the recommendation.

30.8 The Accounting Officer must comply with section 114 of the Act within 10 working days.

31. PROCUREMENT OF BANKING SERVICES

31.1 Banking services:
(a) Must be procured through competitive bids;
(b) Must be consistent with section 85 of the Act; and

(c) May not be for a period of more than five years at a time.

31.2 The process for procuring a contract for banking services must commence at least nine months before the end of an existing contract.

31.3 The closure date for the submission of bids may not be less than 60 days from the date on which the advertisement is placed in a newspaper in terms of paragraph 22(1). Bids must be restricted to banks registered in terms of the Banks Act, 1990 (Act No. 94 of 1990).

32. PROCUREMENT OF INFORMATION TECHNOLOGY (IT) RELATED GOODS OR SERVICES

32.1 The Accounting Officer may request the State Information Technology Entity (SITA) to assist with the acquisition of IT related goods or services through a competitive bidding process.

32.2 Both parties must enter into a written agreement to regulate the services rendered by, and the payments to be made to, SITA.

32.3 The Accounting Officer must notify SITA together with a motivation of the IT needs if:

(a) The transaction value of IT related goods or services required in any financial year will exceed R50 million (VAT included); or

(b) The transaction value of a contract to be procured whether for one or more years exceeds R50 million (VAT included).

32.4 If SITA comments on the submission and the SCTIE disagree with such comments, the comments and the reasons for rejecting or not following such comments must be submitted to the Board, the National Treasury, the relevant provincial treasury and the Auditor General.

33. PROCUREMENT OF GOODS AND SERVICES UNDER CONTRACTS SECURED BY OTHER ORGANS OF STATE

33.1 The Accounting Officer may procure goods or services under a contract secured by another organ of state, but only if:

(a) The contract has been secured by that other organ of state by means of a competitive bidding process applicable to that organ of state;

(b) There is no reason to believe that such contract was not validly procured;

(c) There are demonstrable discounts or benefits to do so; and

(d) That other organ of state and the provider have consented to such procurement in writing.

33.2 Subparagraph 33.1(c) and (d) do not apply if:

(a) A municipal entity procures goods or services through a contract secured by its parent municipality; or

(b) A municipality procures goods or services through a contract secured by a municipal entity of which it is the parent municipality.

34. PROCUREMENT OF GOODS NECESSITATING SPECIAL SAFETY ARRANGEMENTS

34.1 The acquisition and storage of goods in bulk (other than water) which necessitate special safety arrangements, including gasses and fuel, should be avoided where ever possible.

34.2 Where the storage of goods in bulk is justified, such justification must be based on sound reasons, including the total cost of ownership, cost advantages and environmental impact and must be approved by the Accounting Officer.

35. APPOINTMENT OF CONSULTANTS

35.1 The Accounting Officer may procure consulting services provided that any Treasury guidelines in respect of consulting services are taken into account when such procurements are made.

35.2 Consultancy services if required must be procured through competitive bids if:

(a) The value of the contract exceeds R200 000 (VAT included); or

(b) The duration period of the contract exceeds one year.

35.3 In addition to any requirements prescribed by this policy for competitive bids, bidders must furnish particulars of:

(a) All consultancy services provided to an organ of state in the last five years; and

(b) Any similar consultancy services provided to an organ of state in the last five years.

35.4 The Accounting Officer must ensure that copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system or process designed or devised, by a consultant in the course of the consultancy service is vested in the SCTIE.

36. DEVIATION FROM, AND RATIFICATION OF MINOR BREACHES OF PROCUREMENT PROCESSES

36.1 The Accounting Officer may:

(a) Dispense with the official procurement processes established by this policy and to procure any required goods or services through any convenient process, which may include direct negotiations, but only:
(i) In an emergency;
(ii) If such goods or services are produced or available from a single provider only;
(iii) For the acquisition of special works of art or historical objects where specifications are difficult to compile;
(iv) Acquisition of animals for zoos and/or nature and game reserves; or
(v) In any other exceptional case where it is impractical or impossible to follow the official procurement processes; and

(b) Ratify any minor breaches of the procurement processes by an official or committee acting in terms of delegated powers or duties which are purely of a technical nature.

36.2 The Accounting Officer must record the reasons for any deviations in terms of subparagraphs 36.1(a) and (b) of this policy and report them to the next meeting of the Board and include as a note to the annual financial statements.

36.3 Subparagraph 36.2 does not apply to the procurement of goods and services contemplated in paragraph 13.2 of this policy.

37. PANELS OF SERVICE PROVIDERS

37.1 Establishment of Panels:

(a) The Accounting Officer may establish panels of pre-qualified service providers for the rendering of professional, technical, advisory or specialised services, including but not limited to legal, transaction advisory, research and related consultancy services.

(b) Panels shall be established through an open and competitive bidding process in accordance with this Policy, the Municipal Finance Management Act (MFMA), the Municipal Supply Chain Management Regulations, and applicable National Treasury guidelines.

(c) The bid documentation for the establishment of a panel shall clearly stipulate:

(i) The scope and categories of services;

(ii) Evaluation criteria and methodology;

(iii) Applicable preference point system and specific goals;

(iv) The duration of the panel;

(v) The method(s) for allocation of work; and

(vi) Applicable terms and conditions, including rates or fee structures where relevant

37.2 Duration of Panels:

(a) Panels shall be established for a fixed period not exceeding three (3) years, unless otherwise approved by the Accounting Officer in exceptional circumstances and subject to legislative compliance.

37.3 Allocation of Work to Panel Members

(a) The allocation of work to panel members shall be conducted in a manner that is fair, equitable, transparent, competitive and cost effective, and consistent with section 217 of the Constitution.

(b) Work may only be allocated to panel members using methods approved in this Policy and specified in the panel bid documentation.

(c) The Accounting Officer or delegated authority may allocate work to panel members using one or more of the following mechanisms:

(i) Assignments may be allocated on a rotational basis among panel members;

(ii) Where the value, complexity or risk profile of the assignment so requires, a secondary competitive process may be undertaken among panel members, requiring the submission of brief technical and/or financial proposals; and

(iii) Direct Allocation Based on Specialisation or Continuity

37.4 Value Thresholds

(a) The following Rand value thresholds shall apply to the allocation of work to panel members, inclusive of all applicable taxes:

(i) Up to R200 000 where work may be allocated through preferential rotational allocation amongst suitably qualified panel members.

(ii) Above R200 000 up to R300 000 where work shall be allocated through a mini-competition amongst panel members, unless continuity or specialisation can be clearly motivated.

(iii) Above R300 000, a secondary competitive bidding process (based on price, and specific goals) shall be mandatory amongst all eligible panel members, aligned with the requirements applicable to competitive bids for consultancy services.

37.5 Record Keeping and Oversight

(a) All allocations of work to panel members shall be properly documented and include:

(i) The allocation method applied;

(ii) The value and scope of the assignment;

(iii) Reasons for selection; and

(iv) Approval by the delegated authority.

(b) The SCM Unit shall maintain a register of all panel appointments and assignments awarded, which shall be made available for audit, oversight and reporting purposes.

38. UNSOLICITED BIDS

38.1 In accordance with section 113 of the Act there is no obligation to consider unsolicited bids received outside a normal bidding process.

38.2 The Accounting Officer may decide in terms of section 113(2) of the Act to consider an unsolicited bid, only if:

(a) The product or service offered in terms of the bid is a demonstrably or proven unique innovative concept;

(b) The product or service will be exceptionally beneficial to, or have exceptional cost advantages;

(c) The person who made the bid is the sole provider of the product or service; and

(d) The reasons for not going through the normal bidding processes are found to be sound by the Accounting Officer.

38.3 If the Accounting Officer decides to consider an unsolicited bid that complies with subparagraph (2) of this policy, the decision must be made public in accordance with section 21A of the Municipal Systems Act, together with:

(a) Reasons as to why the bid should not be open to other competitors;

(b) An explanation of the potential benefits if the unsolicited bid were accepted; and

(c) An invitation to the public or other potential suppliers to submit their comments within 30 days of the notice.

38.4 All written comments received pursuant to subparagraph 39.3, including any responses from the unsolicited bidder, must be submitted to the National Treasury and the relevant provincial treasury for comment.

38.5 The adjudication committee must consider the unsolicited bid and may award the bid or make a recommendation to the Accounting Officer, depending on its delegations.

38.6 A meeting of the adjudication committee to consider an unsolicited bid must be open to the public.

38.7 When considering the matter, the adjudication committee must take into account:

(a) Any comments submitted by the public; and

(b) Any written comments and recommendations of the National Treasury or the relevant provincial treasury.

38.8 If any recommendations of the National Treasury or provincial treasury are rejected or not followed, the Accounting Officer must submit to the Auditor General, the relevant provincial treasury and the National Treasury the reasons for rejecting or not following those recommendations.

38.9 Such submission must be made within seven days after the decision on the award of the unsolicited bid is taken, but no contract committing the SCTIE to the bid may be entered into or signed within 30 days of the submission.

39. COMBATING OF ABUSE OF SUPPLY CHAIN MANAGEMENT SYSTEM

The Accounting Officer must establish measures for the combating of abuse of the supply chain management system, which must stipulate the following:

39.1 The Accounting Officer must:

(a) Take all reasonable steps to prevent abuse of the supply chain management system;

(b) Investigate any allegations against an official or other role player of fraud, corruption, favouritism, unfair or irregular practices or failure to comply with this supply chain management policy, and when justified:
  (i) Take appropriate steps against such official or other role player; or
  (ii) Report any alleged criminal conduct to the South African Police Service;

(c) Check the National Treasury's database prior to awarding any contract to ensure that no recommended bidder, or any of its directors, is listed as a person prohibited from doing business with the public sector;

(d) Reject any bid from a bidder:
  (i) If any municipal rates and taxes or municipal service charges owed by that bidder or any of its directors to the SCTIE, or to any other municipality or municipal entity, are in arrears for more than three months; or
  (ii) Who during the last five years has failed to perform satisfactorily on a previous contract with the SCTIE or any other organ of state after written notice was given to that bidder that performance was unsatisfactory;

(e) Reject a recommendation for the award of a contract if the recommended bidder, or any of its directors, has committed a corrupt or fraudulent act in competing for the particular contract;

(f) Cancel a contract awarded to a person if:
  (i) The person committed any corrupt or fraudulent act during the bidding process or the execution of the contract; or
  (ii) An official or other role player committed any corrupt or fraudulent act during the bidding process or the execution of the contract that benefited that person; and

(g) Reject the bid of any bidder if that bidder or any of its directors:
  (i) Has abused the supply chain management system of the SCTIE or has committed any improper conduct in relation to such system;
  (ii) Has been convicted for fraud or corruption during the past five years;
  (iii) has wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  (iv) Has been listed in the Register for Tender Defaulters In terms section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

39.2 The Accounting Officer must inform the National Treasury and relevant provincial treasury in writing of any actions taken in terms of subparagraphs (1)(b)(ii), (e) or (f) of this policy.

PART 3: LOGISTICS, DISPOSAL, RISK AND PERFORMANCE MANAGEMENT
LOGISTICS MANAGEMENT

40. LOGISTICAL MANAGEMENT

The Accounting Officer must establish an effective system of logistics management in order to provide for the setting of inventory levels, placing of orders, receiving and distribution of goods, stores and warehouse management, expediting orders, transport management, vendor performance, maintenance and contract administration.

41. DISPOSAL MANAGEMENT

The Accounting Officer must establish an effective system of disposal management for the disposal or letting of assets, including unserviceable, redundant or obsolete assets, subject to sections 90 of the Act, which must stipulate the following:

41.1 The disposal of assets must:

(a) Be by one of the following methods:
  (i) Transferring the asset to another organ of state in terms of a provision of the Act enabling the transfer of assets;
  (ii) Transferring the asset to another organ of state at market related value or, when appropriate, free of charge;
  (iii) Selling the asset; or
  (iv) Destroying the asset;

(b) Provided that:
  (i) Immovable property may be sold only at market related prices except when the public interest or the plight of the poor demands otherwise;
  (ii) Movable assets may be sold either by way of written price quotations, a competitive bidding process, auction or at market related prices, whichever is the most advantageous;
  (iii) In the case of the free disposal of computer equipment, the provincial department of education must first be approached to indicate within 30 days whether any of the local schools are interested in the equipment; and
  (iv) In the case of the disposal of firearms, the National Conventional Arms Control Committee has approved any sale or donation of firearms to any person or institution within or outside the Republic;

(c) Furthermore ensure that:
  (i) Immovable property is let at market related rates except when the public interest or the plight of the poor demands otherwise; and
  (ii) All fees, charges, rates, tariffs, scales of fees or other charges relating to the letting of immovable property are annually reviewed; and

(d) Ensure that where assets are traded in for other assets, the highest possible trade-in price is negotiated.

41.2 Disposal of land and improvements:

(a) All land and improvement sales should be done in terms of the Supply Chain Management regulations;

(b) The methods of disposal should be in terms of section 41(2) of this policy; and

(c) The award of the tender shall be dealt with in accordance to sub- delegation (section 7 of this policy).

42. RISK MANAGEMENT

42.1 The Accounting Officer must establish an effective system of risk management for the identification, consideration and avoidance of potential risks in the supply chain management system.

42.2 Risk management must include:

(a) The identification of risks on a case-by-case basis;

(b) The allocation of risks to the party best suited to manage such risks;

(c) Acceptance of the cost of the risk where the cost of transferring the risk is greater than that of retaining it;

(d) The management of risks in a pro-active manner and the provision of adequate cover for residual risks; and

(e) The assignment of relative risks to the contracting parties through clear and unambiguous contract documentation.

43. PERFORMANCE MANAGEMENT

The Accounting Officer must establish an effective internal monitoring system in order to determine, on the basis of a retrospective analysis, whether the authorised supply chain management processes were followed and whether the desired objectives were achieved.

PART 4: OTHER MATTERS

44. PROHIBITION ON AWARDS TO PERSONS WHOSE TAX MATTERS ARE NOT IN ORDER

44.1 The Accounting Officer must ensure that, irrespective of the procurement process followed, no award above R15 000 is given to a person/company whose tax matters have not been declared by the South African Revenue Service to be in order.

44.2 Before making an award to a person/company the accounting person must first check with SARS whether that person's/company's tax matters are in order.

44.3 Where the recommended bidder is not tax compliant, the bidder will be notified of their non-compliant status and the bidder must be requested to submit to the entity, within 7 working days, written proof from SARS of their tax compliance status or proof from SARS that they have arranged to meet their outstanding tax obligations. The proof of tax compliance status submitted by the bidder to entity must be verified via the CSD or e-Filing..

45. PROHIBITION ON AWARDS TO PERSONS IN THE SERVICE OF THE STATE

The Accounting Officer must ensure that irrespective of the procurement process followed, no award may be given to a person:

45.1 Who is in the service of the state; or

45.2 If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or

45.3 A person who is an advisor or consultant contracted with the SCTIE.

46. AWARDS TO CLOSE FAMILY MEMBERS OF PERSONS IN THE SERVICE OF THE STATE

The notes to the annual financial statements must disclose particulars of any award of more than R2000 to a person who is a spouse, child or parent of a person in the service of the state, or has been in the service of the state in the previous twelve months, including:

46.1 The name of that person;

46.2 The capacity in which that person is in the service of the state; and

46.3 The amount of the award.

47. ETHICAL STANDARDS

47.1 A code of ethical standards is hereby established, in accordance with subparagraph 48.2, for officials and other role players in the supply chain management system in order to promote:

(a) Mutual trust and respect; and

(d) An environment where business can be conducted with integrity and in a fair and reasonable manner.

47.2 An official or other role player involved in the implementation of the supply chain management policy:

(a) Must treat all providers and potential providers equitably;

(b) May not use his or her position for private gain or to improperly benefit another person;

(c) May not accept any reward, gift, favour, hospitality or other benefit directly or indirectly, including to any close family member, partner or associate of that person, of a value more than R350;

(d) Notwithstanding subparagraph 48.2(c), must declare to the Accounting Officer details of any reward, gift, favour, hospitality or other benefit promised, offered or granted to that person or to any close family member, partner or associate of that person;

(e) Must declare to the Accounting Officer details of any private or business interest which that person, or any close family member, partner or associate, may have in any proposed procurement or disposal process of, or in any award of a contract by, the SCTIE;

(f) Must immediately withdraw from participating in any manner whatsoever in a procurement or disposal process or in the award of a contract in which that person, or any close family member, partner or associate, has any private or business interest;

(g) Must be scrupulous in his or her use of property belonging to the SCTIE;

(h) Must assist the Accounting Officer in combating fraud, corruption, favouritism and unfair and irregular practices in the supply chain management system; and

(i) Must report to the Accounting Officer any alleged irregular conduct in the supply chain management system which that person may become aware of, including:
(i) Any alleged fraud, corruption, favouritism or unfair conduct;
(ii) Any alleged contravention of paragraph 48(1) of this policy; or
(iii) Any alleged breach of this code of ethical standards.

(3) Declarations in terms of subparagraphs 48.2(d) and (e):

(a) Must be recorded in a register which the Accounting Officer must keep for this purpose;

(b) By the Accounting Officer must be made to the Board of the SCTIE who must ensure that such declarations are recorded in the register.

(4) The National Treasury's code of conduct must also be taken into account by supply chain management practitioners and other role players involved in supply chain management.

(5) SCTIE adopts the National Treasury's code of conduct for supply chain management practitioners and other role players involved in supply chain management, which code of conduct becomes binding on all officials and other role players involved in the implementation of the supply chain management policy of the SCTIE. A copy of the National Treasury code of conduct is available on the website *www.treasury.gov.za/mfma* located under "legislation".

(6) A breach of the code of conduct adopted by the SCTIE must be dealt with in accordance with schedule 2 of the Systems Act.

48. INDUCEMENTS, REWARDS, GIFTS AND FAVOURS TO ENTITY, OFFICIALS AND OTHER ROLE PLAYERS

48.1 No person who is a provider or prospective provider of goods or services, or a recipient or prospective recipient of goods disposed or to be disposed of may either directly or through a representative or intermediary promise, offer or grant:

(a) Any inducement or reward to the SCTIE for or in connection with the award of a contract; or

(b) Any reward, gift, favour or hospitality to:
(i) Any official; or
(ii) Any other role player involved in the implementation of the supply chain management policy.

48.2 The Accounting Officer must promptly report any alleged contravention of subparagraph 49.1 to the National Treasury for considering whether the offending person, and any representative or intermediary through which such person is alleged to have acted, should be listed in the National Treasury's database of persons prohibited from doing business with the public sector.

48.3 Subparagraph 49.1 does not apply to gifts less than R350 in value.

49. SPONSORSHIPS

The Accounting Officer must promptly disclose to the National Treasury and the relevant provincial treasury any sponsorship promised, offered or granted, whether directly or through a representative or intermediary, by any person who is:

49.1 A provider or prospective provider of goods or services; or

49.2 A recipient or prospective recipient of goods disposed or to be disposed.

50. OBJECTIONS AND COMPLAINTS

Persons aggrieved by decisions or actions taken in the implementation of this supply chain management system, may lodge within 14 days of the decision or action, a written objection or complaint against the decision or action.

51. RESOLUTION OF DISPUTES, OBJECTIONS, COMPLAINTS AND QUERIES

51.1 The Accounting Officer must appoint an independent and impartial person, not directly involved in the supply chain management processes:

(a) To assist in the resolution of disputes between the SCTIE and other persons regarding:
(i) Any decisions or actions taken in the implementation of the supply chain management system; or
(ii) Any matter arising from a contract awarded in the course of the supply chain management system; or

(b) To deal with objections, complaints or queries regarding any such decisions or actions or any matters arising from such contract.

51.2 The Accounting Officer, or another official designated by the Accounting Officer, is responsible for assisting the appointed person to perform his or her functions effectively.

51.3 The person appointed must:

(a) Strive to resolve promptly all disputes, objections, complaints or queries received; and
(b) Submit monthly reports to the Accounting Officer on all disputes, objections, complaints or queries received, attended to or resolved.

51.4 A dispute, objection, complaint or query may be referred to the relevant provincial treasury if:
(a) The dispute, objection, complaint or query is not resolved within 60 days; or

(b) No response is forthcoming within 60 days.

51.5 If the provincial treasury does not or cannot resolve the matter, the dispute, objection, complaint or query may be referred to the National Treasury for resolution.

51.6 This paragraph must not be read as affecting a person's rights to approach a court at any time.

52. CONTRACTS PROVIDING FOR COMPENSATION BASED ON TURNOVER

If a service provider acts on behalf of a SCTIE to provide any service or act as a collector of fees, service charges or taxes and the compensation payable to the service provider is fixed as an agreed percentage of turnover for the service or the amount collected, the contract between the service provider and the SCTIE must stipulate:

52.1 A cap on the compensation payable to the service provider; and

52.2 That such compensation must be performance based.

53. COMMENCEMENT

This policy takes effect on the date on which it is adopted by the Board.

54. APPROVAL OF THE POLICY

NAME	SIGNATURE	DESIGNATION	DATE
Mr Sandile Dlomo		**CHAIRPERSON: SCTIE**	**26.05.2026**

ANNEXURE 1: PREFERENTIAL PROCUREMENT REGULATIONS, 2011 PERTAINING TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT: NO 5 OF 2000

THE REVISED PREFERENTIAL PROCUREMENT REGULATIONS 2022